

for the equal vote, the inspectors shall immediately determine by lot the election between them, in the presence of any elector or electors as may choose to be present.

Returns, how made.

SEC. 12. *Be it further enacted*, That the inspectors shall certify and subscribe the poll and registration lists, and return them to the clerk and treasurer of the board of commissioners of said town, who shall keep them among the archives of the town.

Oath of mayor.

SEC. 13. *Be it further enacted*, That the mayor, immediately after the election and before entering upon the duties of his office, shall, before a justice of the peace, take the following oath: "I, A. B., do solemnly swear (or affirm) that I will diligently endeavor to perform faithfully and truly, according to my best skill and ability, all the duties of the office of mayor of the town of Maxton, while I continue therein, and I will cause to be executed, as far as in my power lies, all the laws, ordinances and regulations made for the government of the town, and in the discharge of my duties I will do equal justice in all cases whatsoever."

Oath of commissioners.

SEC. 14. *Be it further enacted*, That each commissioner, before entering upon the duties of his office, shall take, before the mayor or some justice of the peace, an oath that he will truly and impartially perform the duties of commissioner for the town, according to the best of his skill, ability and judgment.

Vacancies in office of mayor or commissioners.

SEC. 15. *Be it further enacted*, That if any person elected mayor shall refuse to be qualified, or there is any vacancy in the office after election and qualification, or if the mayor be absent from the town, or be unable to discharge the duties of his office, the commissioners shall choose one of their number, or other qualified person, mayor for the time, or the unexpired portion of the time, or during such absence or disability as the case may be, and on like occasion and in like manner, the commissioners shall choose another commissioner to supply the place of such as shall refuse to act, or are absent or unable, and all vacancies which may occur, and such persons only shall be chosen as are heretofore declared to be eligible: *Provided*, the said commissioners shall not be required to fill the place, if the absence of the said commissioners shall be temporary.

Proviso.

Penalty for refusal of mayor or commissioner elect to qualify.

SEC. 16. *Be it further enacted*, That any person elected mayor or commissioner who shall refuse to be qualified and act as such shall forfeit and pay for the equal use of the town and of him who shall sue therefor, the sum of twenty-five dollars.

Penalty for failure of commissioners to give notice of election, &c.

SEC. 17. *Be it further enacted*, That if the commissioners shall fail to give notice of the election, or to hold and declare the same in manner herein prescribed, each of them as shall be in default shall forfeit and pay for the equal benefit of the town and of him who shall sue therefor one hundred dollars.

Mayor a municipal court.

SEC. 18. *Be it further enacted*, That the mayor in the corporate limits of said town shall be a municipal court, and shall have and